

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In re: WILLIE EARL HATTON, JR.
TENA ALETA HATTON,

Debtors.

Case Number: 13-14947 NLJ
Chapter 13

**DEBTORS' OBJECTION TO PROOF OF CLAIM, AND
NOTICE OF HEARING**

WILLIE EARL HATTON, JR. and TENA ALETA HATTON, the Debtors in the above-captioned Chapter 13 proceeding, herein object to the below-described proof of claim as filed in this case. In support of this motion, Debtors rely on 11 U.S.C. § 502(a) as well as Rule 3007 of the Federal Rules of Bankruptcy Procedure. In support of this objection, Debtor avers as follows:

1. The subject claim is Claim #6-1—Bank of America, N.A. d/b/a Bank of America Home Loans ("BOA"), as filed by and through counsel on March 12, 2014 in the amount of \$89,992.30, ongoing, arrearages, and any supplemental notices of fees and/or costs associated with the claim of BOA.
2. BOA, as part of a settlement with the Department of Justice, has offered a modification of Debtors' home mortgage to them. The terms of the modification are very favorable to the Debtors. Debtors will make three (3) payments to BOA directly in the amount of \$621.24, beginning on December 1, 2014. Debtors have elected to make these payments and all future payments directly to BOA, and this objection to claim is necessary so that BOA does not get paid twice on the same claim(s).

WHEREFORE, given the above facts and arguments, Debtors request that the Court enter an order disallowing Proof of Claim of Bank of America, N.A. d/b/a Bank of America Home Loans ("BOA"), as filed by and through counsel on March 12, 2014 in the amount of \$89,992.30, ongoing, arrearages, and any supplemental notices of fees and/or costs associated with the claim of BOA, and for other such relief as the Court deems just and proper.

Debtor
19601 SW 193rd Street
Newalla, OK 74857

Joint Debtor (If Necessary)

Respectfully submitted,

Jerry D. Brown, OBA #16815
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Attorney for Debtor

NOTICE AND OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of

Oklahoma, 215 Dean A. McGee Ave., Oklahoma City, OK 73102, no later than 14 days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response or objection on the undersigned movant (and others who are required to be served) and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice. The 14-day period includes the 3 days allowed for mailing, pursuant to Rule 9006(f) of the Federal Rules of Bankruptcy Procedure.

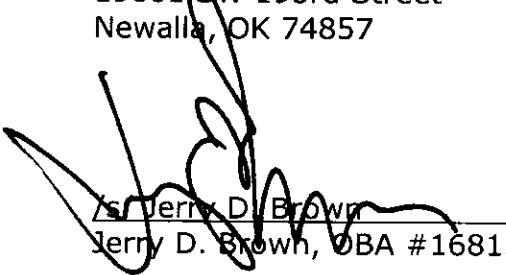
NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED THAT A HEARING ON DEBTOR'S OBJECTION TO THE PROOF OF CLAIM IS SET FOR HEARING ON THE 13 TH DAY OF JANUARY, 2015, AT 8:30 AM, BEFORE THE HONORABLE NILES JACKSON, SECOND FLOOR, UNITED STATES BANKRUPTCY COURTHOUSE, 215 DEAN A. McGEE AVENUE, OKLAHOMA CITY, OKLAHOMA.

CERTIFICATE OF SERVICE

I, Jerry D. Brown, hereby certify that on the 24 day of November, 14 a true and correct copy of the above and foregoing instrument was mailed, with proper postage prepaid, to all parties listed below:

Mr. and Ms. Hatton
19601 SW 193rd Street
Newalla, OK 74857



Jerry D. Brown, OBA #16815